

B3  
wnc

second color, and any combination of faces of the pair of dice which is seven is color coded in a third color.

B4

Ins. c1

18/24. (Amended) An electronic combination craps and roulette game comprising a display for displaying a game surface having bet indicia thereon for displaying bets for both craps and roulette, wherein the craps bets comprise two or more of pass bets; don't pass bets; hardways bets; any craps bets; 2 craps, 3 craps, and 12 craps bets; 7 and 11 bets, win bets, buy bets, and lay bets and wherein the roulette bets comprise a numeral corresponding to a face of at least one die.

#### REMARKS

This response is submitted in response to the Final Office Action mailed April 26, 2002, and Telephonic Interviews of July 11 and 25, 2002, to request reconsideration of the rejection of claims 1-5, 8, 11-14, 16, 24, and 25 as set forth therein. In the event the Examiner determines that the foregoing amendments do not place the case in condition for allowance, it is respectfully requested that the above amendments be entered to place the claims in better form for consideration on appeal.

Initially, the Applicant would like to thank the Examiner for maintaining the indication that claims 6, 7, 9, 10, 18, 19, 21, and 22 contain allowable subject matter.

However, in the Final Official Action, the Examiner rejects claims 1, 2, and 11 under 35 U.S.C. § 102(b) as being anticipated by Great Briton Patent No. 949,733 to Kent et al. (hereinafter "Kent"). Additionally, the Examiner rejects claims 3, 5, 8, 13, and 14 under 35 U.S.C. § 103(a) as being unpatentable over Kent in view of U.S. Patent No. 1,520,697 to Carlson (hereinafter "Carlson"). Furthermore, the Examiner rejects claims 4, 12, and 16 under 35 U.S.C. § 103(a) as being unpatentable over Kent in view of Carlson and further in

view of U.S. Patent No. 3,819,186 to Hinterstocker (hereinafter "Hinterstocker"). Lastly, the Examiner rejects claims 24 and 25 under 35 U.S.C. § 103(a) as being unpatentable over Kent in view of Hinterstocker.

In response, independent claims 1, 13, and 24 have been amended as discussed with the Examiner during the telephonic Interview of July 25, 2002.

Specifically, independent claims 1 and 24 have been amended to recite the specific craps and roulette bets that are on the game surface and display, respectively. The crap bets recited in claims 1 and 24 are two or more of pass bets; don't pass bets; hardways bets; any craps bets; 2 craps, 3 craps, and 12 craps bets; 7 and 11 bets, win bets, buy bets, and lay bets. With the exception of the win, buy and lay bets, the recited craps bets are expressly written on the gaming surfaces illustrated in the drawings. Although, the win, buy, and lay bets are not expressly written on the game surfaces, those skilled in the art of craps would understand them to be inherent from the indicia displayed on the gaming surfaces illustrated in the drawings. Claims 1 and 24 have also been amended to recite the roulette bets on the gaming surface and display, respectively. Claims 1 and 24 now recite that the roulette bets comprise at least one of a numeral corresponding to the face of the at least one die. The roulette bets on the gaming surface and display are fully supported throughout the specification, including the drawings. Furthermore, claim 13 has been amended to recite that the plurality of slots are color coded based on the combination of faces of the pair of dice such that the combination of faces of the pair of dice that are less than a predetermined number are color coded in a first color and the combination of faces of the pair of dice that are greater than the predetermined number are color coded in a second color. The amendment to claim 13 is fully supported in the original disclosure, particularly in the specification and originally filed claims.

Therefore, the amendment to claims 1, 13, and 24 are fully supported in the original disclosure and no new matter has been entered by the present amendment to the claims.

Lastly, claim 18 has been amended to be consistent with amended claim 13.

Therefore, with regard to the rejection of claim 1 under 35 U.S.C § 102(b), a combination craps and roulette game having a game surface which displays the bets discussed above for craps and roulette, as claimed in amended independent claim 1, is nowhere disclosed in Kent. Since it has been decided that "anticipation requires the presence in a single prior art reference, disclosure of each and every element of the claimed invention, arranged as in the claim,"<sup>1</sup> independent claim 1, as amended, is not anticipated by Kent. Accordingly, independent claim 1, as amended, patentably distinguishes over Kent and is allowable. Claims 2 and 11 being dependent upon claim 1 are thus allowable therewith. Consequently, the Examiner is respectfully requested to withdraw the rejection of claims 1, 2, and 11 under 35 U.S.C. § 102(b).

With regard to the rejection of claim 13 under 35 U.S.C § 103(a), a wheel for determining a winner of a bet having a plurality of slots corresponding to a face of at least one die wherein the plurality of slots are color coded in a manner as discussed above and as claimed in independent claim 13, as amended, is nowhere disclosed or suggested in Kent or Carlson. Accordingly, independent claim 13, as amended, patentably distinguishes over Kent and Carlson and is allowable. Claim 14 being dependent upon claim 13 is thus allowable therewith. Consequently, the Examiner is respectfully requested to withdraw the rejection of claims 13 and 14 under 35 U.S.C. § 103(a).

<sup>1</sup> Lindeman Maschinenfabrik GMBH v. American Hoist and Derrick Company, 730 F.2d 1452, 1458; 221 U.S.P.Q. 481, 485 (Fed. Cir., 1984).

With regard to the rejections of claims 3-5, 8, 12, and 16, since independent claims 1 and 13 (as amended) patentably distinguish over the prior art and are allowable, claims 3-5, 8, 12, and 16 are allowable therewith because they depend from an allowable base claim.

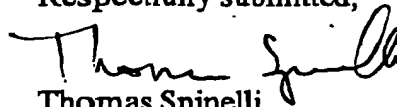
With regard to the rejection of claims 24 and 25 under 35 U.S.C. § 103(a), an electronic combination craps and roulette game having a display for displaying the bets discussed above for craps and roulette as claimed in independent claim 24, as amended, is nowhere disclosed or suggested in Kent or Hinterstocker. Accordingly, independent claim 24, as amended, patentably distinguishes over Kent and Hinterstocker and is allowable. Claim 25 being dependent upon claim 24 is thus allowable therewith. Consequently, the Examiner is respectfully requested to withdraw the rejection of claims 24 and 25 under 35 U.S.C. § 103(a).

Attached hereto is a marked-up version of the changes made to the application by the current amendment. The attached page is captioned "Version with Markings to Show Changes Made."

In view of the above, it is respectfully submitted that this application is in condition for allowance. Accordingly, it is respectfully requested that this application be allowed and a Notice of Allowance issued. If the Examiner believes that a telephone

conference with Applicant's attorneys would be advantageous to the disposition of this case,  
the Examiner is requested to telephone the undersigned.

Respectfully submitted,



Thomas Spinelli

Registration No.: 39,533

Scully, Scott, Murphy & Presser  
400 Garden City Plaza  
Garden City, New York 11530  
(516) 742-4343

TS/cm

Enclosure (Version with Markings to Show Changes Made)

09/724,243

**VERSION WITH MARKINGS TO SHOW CHANGES MADE**

**IN THE CLAIMS:**

**The claims have been amended as follows:**

1. (Amended) A combination craps and roulette game comprising:

a game surface, the game surface having indicia thereon for displaying bets for both craps and roulette; and

a wheel having a plurality of slots, each of the plurality of slots corresponding to a face of at least one die, the wheel also having means for retaining and directing a rolled ball such that the rolled ball comes to rest in one of the plurality of slots[.];

wherein the crap bets comprise two or more of pass bets; don't pass bets; hardways bets; any craps bets; 2 craps, 3 craps, and 12 craps bets; 7 and 11 bets, win bets, buy bets, and lay bets; and

wherein the roulette bets comprise a numeral corresponding to the face of the at least one die.

13. (Twice Amended) A wheel for determining a winner of a bet, the wheel comprising:

a plurality of slots, each of the plurality of slots corresponding to each of a possible combination of faces of a pair of dice; and

means for retaining and directing a rolled ball such that the rolled ball comes to rest in one of the plurality of slots;

wherein the plurality of slots are color coded based on the combination of faces of the pair of dice [to which it corresponds] such that the combination of faces of the pair of

dice that are less than a predetermined number are color coded in a first color and the combination of faces of the pair of dice that are greater than the predetermined number are color coded in a second color.

18. (Twice Amended) The wheel of claim 13, wherein any combination of faces of the pair of dice which is less than seven is color coded in [a] the first color, any combination of faces of the pair of dice which is greater than seven is color coded in [a] the second color, and any combination of faces of the pair of dice which is seven is color coded in a third color.

24. (Amended) An electronic combination craps and roulette game comprising a display for displaying a game surface having bet indicia thereon for displaying bets for both craps and roulette[.], wherein the craps bets comprise two or more of pass bets; don't pass bets; hardways bets; any craps bets; 2 craps, 3 craps, and 12 craps bets; 7 and 11 bets, win bets, buy bets, and lay bets and wherein the roulette bets comprise a numeral corresponding to a face of at least one die.